

UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

NETLIST, INC.,)
Plaintiff,)
vs.)
SAMSUNG ELECTRONICS CO, LTD;)
SAMSUNG ELECTRONICS AMERICA,)
INC.; SAMSUNG SEMICONDUCTOR)
INC.,)
Defendants.)
Case No. 2:22-cv-293-JRG
JURY TRIAL DEMANDED
(Lead Case)
Filed Under Seal

NETLIST, INC.,)
Plaintiff,)
vs.) Case No. 2:22-cv-294-JRG
MICRON TECHNOLOGY, INC.;) JURY TRIAL DEMANDED
MICRON SEMICONDUCTOR)
PRODUCTS, INC.)
Defendants.)

**DECLARATION OF JASON G. SHEASBY IN SUPPORT OF NETLIST INC.'S
OPPOSITION TO SAMSUNG'S MOTION FOR PARTIAL SUMMARY JUDGMENT
REGARDING ITS ABSOLUTE INTERVENING RIGHTS DEFENSE**

I, Jason G. Sheasby, declare as follows:

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. ("Netlist") in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist's Opposition to Samsung's Motion for Partial Summary Judgment Regarding Its Absolute Intervening Rights Defense. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as **Exhibit 1** is a true and correct copy of U.S. Patent No. 7,619,912 (the "'912 patent").

3. Attached as **Exhibit 2** is a true and correct copy of email correspondence between counsel for Netlist and Samsung.

4. Attached as **Exhibit 3** is a true and correct copy of Samsung's IPR Petition in IPR2022-00615.

5. Attached as **Exhibit 4** is a true and correct copy of Exhibit 1003 in IPR2022-00615.

6. Attached as **Exhibit 5** is a true and correct excerpted copy of a document titled "Decision on Appeal" in *Inter Partes* Reexamination Nos. 95/000,578; 95/000,579; and 95/001,339 of the '912 Patent.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on July 6, 2023, in Los Angeles, California.

By /s/ *Jason G. Sheasby*

Jason G. Sheasby